

The Mayor and Commissioners of the Town of Elkton

MINUTES

May 20, 2009

The Mayor and Commissioners of the Town of Elkton (the "Board") held their second regularly scheduled meeting in May on this date at 7:00 P.M. The following persons were present: Mayor Joseph Fisona; Commissioners Charles H. Givens, Sr., Mary Jo Jablonski, Earl M. Piner, Sr. and C. Gary Storke; Town Administrator Lewis H. George, Jr.; Assistant Town Administrator Kimberly Kamp; Chief of Police William Ryan; Finance Director Steven Repole; Human Resources Director Venus Kincaid; Parks and Recreation Director Mary Magaw; Administration Office Secretary L. Michelle Henson; and Town Attorney H. Norman Wilson, Jr., Esquire.

NOTICE OF CLOSED MEETING: Pursuant to State Government Article § 10-508 (a) (1) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees or officials over whom the Town has jurisdiction; or any other personnel matter that affects one or more specific individuals; a Closed Meeting was held at 9:06 p.m. on Wednesday May 6, 2009 in the Mayor and Commissioners Conference Room at 100 Railroad Avenue, Elkton, Maryland 21921. The following persons were present: Mayor Joseph Fisona; Commissioners Charles H. Givens, Mary Jo Jablonski, Earl M. Piner, Sr., and C. Gary Storke; Town Administrator Lewis H. George, Jr.; and Town Attorney H. Norman Wilson, Jr., Esq.

Mayor Fisona called the meeting to order, and led the Pledge of Allegiance.

ACTION: The minutes of the May 6, 2009 meeting were approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Jablonski and approved by all present with no corrections or amendments.

ACTION: The financial report and the bills submitted for payment were approved on a motion made by Commissioner Piner. The motion was seconded by Commissioner Jablonski and approved by all present.

**KCI Technologies, Inc.
Artesian - Elkton Interconnection Project #2008-006
Eastern States Construction Change Order 4**

Mr. Paul Gutmann, P.E., representing KCI Technologies, Inc., presented the Artesian - Elkton Interconnection Project #2008-006 - Eastern States Construction Change Order 4.

He stated the project was substantially complete as of May 13, 2009 but rain delays resulted in the contractor's request for an additional 14 days to install remaining components and configure a controller in the reservoir, adding the project would be complete at that point. He said Change Order # 4 extended the project deadline to May 27, 2009, adding that KCI recommended approval of the request.

Mayor Fisona questioned the status of the water flow. Mr. Gutmann stated Artesian, in conjunction with Severn Trent, would perform a full test on the system on May 27, 2009.

ACTION: The Artesian-Elkton Interconnection Project 2008-006 Eastern States Construction Change Order #4 request was approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Piner and approved by all present.

Mayor Fisona announced the Public Hearing regarding the Constant Yield Tax Rate ("CYTR") was cancelled due to the Board's decision to maintain the rate.

Mayor Fisona asked Mr. George to present his agenda items in the interim prior to the 7:15 p.m. Public Hearing.

Town Administrator's Report

Mr. George presented Ordinance 3-2009 - Parking Schedules for adoption. He said Ordinance 3-2009 established a uniform parking schedule. He said the Board approved the introduction of Ordinance 3-2009 at the May 6, 2009 meeting.

ACTION: Ordinance 3-2009 - Parking Schedules was approved on a motion made by Commissioner Jablonski. The motion was seconded by Commissioner Piner and approved by all present.

Artesian-Elkton Interconnection Agreement Second Amendment Presented for Approval

Mr. George presented the Artesian-Elkton Interconnection Agreement-Second Amendment, for approval. He said the Board previously discussed the amendment and requested that the 100,000 gallons per day "take or pay" provision be removed and the 50,000 gallons per day "take or pay" provision in the original contract remain. He stated the amendment provided up to 1.5 million gallons per day with 5 to 7 days notice.

ACTION: The Artesian-Elkton Interconnection Agreement-Second Amendment was approved on a motion made by Commissioner Piner. The motion was seconded by Commissioner Givens and approved by all present.

Mayor Fisona requested that the Board members give their reports in the interim prior to the 7:15 p.m. Public Hearing.

Commissioner Storke's Report

Commissioner Storke stated the Town had the honor of being home to the State of Maryland "Champion Silver Maple" and suggested that the Town publicize the landmark.

Commissioner Storke expressed concerns regarding speeding on the newly paved track at Meadow Park.

Commissioner Givens' Report

Commissioner Givens commended Ms. Mary Magaw and the Parks & Recreation Department staff for a recent dance recital at the Elkton High School. He said about 700 people attended the event and that it was a good reflection on Elkton.

Commissioner Givens questioned the status of a concern brought by a parent of a T-ball participant. He stated the parent expressed concerns about the activities of a group using a picnic area at Marina Park during her child's T-ball activities. Commissioners Piner and Jablonski and Mayor Fisona stated they responded to the parent regarding her concerns about a group of people being provided meals at the park. Commissioner Givens asked if Parks & Recreation planned to move the T-ball activities. Commissioner Piner stated he did not support relocating the activities, adding that the people about whom the parent expressed concern posed no threat to the children.

Mayor Fisona's Report

Mayor Fisona congratulated Ms. Magaw for obtaining \$60,000 in grant funding for playground equipment at Meadow Park.

Mayor Fisona announced the Maryland Transportation Authority planned an informational meeting regarding the I-95 Toll Plaza on Tuesday June 16, 2009 from 5:00 p.m. to 8:00 p.m. at Elkton High School.

Public Hearing - Fiscal Year 2010 Budget

Mayor Fisona announced the Public Hearing open at 7:27 P.M. and queried the audience for comment.

Public Comment

Mr. Robert Litzenberg expressed appreciation for the reduction of \$263,000.00 from the previous budget.

Mr. Litzenberg questioned if fund balance in the General Fund could be utilized to pay down the debt from the upgrades to the Wastewater Treatment Facility. Mr.

Repole answered in the negative, stating water and sewer funds were intended to be self sufficient through user fees.

Mr. Ronald Rae questioned the disbursement of expenses over departments. Mr. Repole stated some equipment, personnel, etc. was utilized by more than one department, and expenses related to the uses were proportionately divided among the applicable areas.

Mr. James Crouse questioned the ratio of residential permits to commercial permits that was referred to in the budget. Mr. Repole stated he would obtain the data from the Zoning Administrator.

Mayor Fisona, hearing no additional comments, declared the Public Hearing closed at 7:40 P.M.

ACTION: The FY 2010 Budget, as presented, was approved on a motion made by Commissioner Piner. The motion was seconded by Commissioner Givens. Commissioner Storke opposed the motion. The record of the vote is as follows:

Mayor Fisona: Aye

Commissioner Givens: Second

Commissioner Jablonski: Aye

Commissioner Piner: Motion

Commissioner Storke: Nay

Commissioner Storke asked that the record of the minutes reflect his support for the work involved in the budget process. He said he could not vote for the budget due to the costs of salary increases, which amounted to \$95,000.00.

Commissioner Storke questioned the timeline for the Elkton Alliance to become self-sufficient.

Public Hearing - Ordinance 4-2009

To amend the Elkton Zoning Ordinance regarding storage of flammable and combustible liquids

Mayor Fisona announced the Public Hearing open at 7:43 P.M.

Ms. Kamp presented Ordinance 4-2009 for introduction. She stated the previous ordinance was out dated and restrictive to economic development. She said Mr. Richard Brooks, Director of Emergency Services for Cecil County, reviewed the ordinance, adding the Planning Commission approved the proposed changes at their May 11, 2009 meeting.

Public Comment

Mayor Fisona queried the audience for comment.

Mr. James Crouse questioned the reason for the proposed amendment. Commissioner Storke stated he spoke with Ms. Jeanne Minner, Director of Planning about the proposed changes, and said the National Fire Protection Association upgraded standards including requirements that material information be stored at the Department of Emergency Services, which would provide emergency response workers with important information regarding stored materials.

Mayor Fisona, hearing no additional comments, declared the Public Hearing closed at 7:49 P.M.

ACTION: Ordinance 4-2009 was approved for introduction on a motion made by Commissioner Storke. The motion was seconded by Commissioner Jablonski and approved by all present.

Public Comment

Ms. Rebecca McKinney expressed concerns regarding the county 911 dispatch services.

Ms. McKinney commended on Mr. Charles Hicks, Code Enforcement Official, stating he was an asset to the Town.

Ms. Sharon Sexton commented on the clean up of the area under the Sen. Walter Baker bridge. She stated she was happy to see the area cleared of debris.

Hearing no additional business to come before the Board, Mayor Fisona adjourned the meeting at 8:05 P.M.

L. Michelle Henson,
Administration Office Secretary

AN AUDIO AND VIDEO RECORDING OF THIS MEETING RETAINED AT THE ADMINISTRATION OFFICE

Note: The minutes of regularly scheduled public meetings conducted by the Mayor and Commissioners of the Town of Elkton, following their approval, are posted at www.elkton.org. The minutes, in hard copy format, are retained indefinitely by the Town of Elkton, Administration Office, 100 Railroad Avenue, Elkton, Maryland 21921.

The Maryland Public Information Act provides that the minutes of public meetings be made available to the public upon request. Please contact the Town of Elkton by telephone at (410) 398-0970, by facsimile at (410) 392-6633, or by email at administration@elkton.org to request a copy of the minutes.